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1 US DISTRICT COURT
2 SAN JUAN, PR
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INDICTMENT

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v.

[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,
Defendants.

CRIMINAL NO. 24-362 (SCC)

VIOLATIONS:

21 U.S.C. §§ 952(a), 960(a) &
(b)(1)(B)(ii), and 963
21 U.S.C. §§ 841(a)(1) &
(b)(1)(A)(ii), and 846

(Four Counts & Forfeiture
Allegations)

THE GRAND JURY CHARGES:

COUNT ONE
Conspiracy to Import Cocaine
21 U.S.C. §§ 952(a), 960(a) & (b)(1)(B)(ii), and 963

Beginning on a date unknown, but not later than September 9, 2024, continuing up to the return of the instant Indictment, from places outside of the country of the United States, to include the Dominican Republic and elsewhere,

**[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,**

the defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other and others known and unknown to the Grand Jury, to commit an offense against the United States, that is: to import into the United States, from places outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled Substance. All in violation of 21 U.S.C. §§

952(a), 960(a)(1) & (b)(1)(B)(ii), and 963.

COUNT TWO
Attempted Importation of Cocaine
21 U.S.C. §§ 952(a), 960(a) & (b)(1)(B)(ii)

On or about September 9, 2024, from the country of the Dominican Republic and within the jurisdiction of this Court,

[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,

the defendants herein, aiding and abetting each other and others known and unknown to the Grand Jury, intentionally and knowingly did attempt to import into the United States, from places outside thereof, five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance. All in violation 21 U.S.C. §§ 952(a), 960(a), 960(b)(1)(B)(ii), and 18 U.S.C. § 2.

COUNT THREE
Conspiracy to Possess With Intent to Distribute Cocaine
21 U.S.C. §§ 841(a)(1) & (b)(1)(A)(ii), and 846

Beginning on a date unknown, but not later than September 9, 2024, up to and until the return of the instant Indictment, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,

the defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other and others known and unknown to the Grand Jury, to possess with intent to distribute and to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance. All in violation of 21 U.S.C. §§ 841(a)(1) & (b)(1)(A)(ii), and 846.

COUNT FOUR

Attempted Possession with Intent to Distribute Cocaine
21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii)

On or about September 9, 2024, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,

the defendants herein, aiding and abetting each other and others known and unknown to the Grand Jury, did knowingly and intentionally attempt to possess with intent to distribute and attempted to distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II narcotic drug controlled substance. All in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(ii) and 18 U.S.C. § 2.

NARCOTICS FORFEITURE ALLEGATION
21 U.S.C. §§ 853 and 970

1. The allegations contained in Counts One through Four of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. §§ 853 and 970.

2. Pursuant to 21 U.S.C. §§ 853 and 970, upon conviction of one or more of the controlled substances alleged in Counts One through Four of this Indictment,

[1] RAFAEL RODRIGUEZ-MARTINEZ and
[2] HERIBERTO MOTA-CEDENO,

the defendants herein, shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses

and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

3. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

[INTENTIONALLY LEFT BLANK]

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p) and 970.

W. Stephen Muldrow
United States Attorney


Max Perez-Bouret
Assistant United States Attorney, Chief
Transnational Organized Crime Section


María Montañez-Concepción
Assistant United States Attorney, Deputy Chief
Transnational Organized Crime Section


Luis A. Valentin
Assistant United States Attorney

TRUE BILL


FOREPERSON

Date: 9-11-2024